

REMARKS

Claims 1-6, 8, 9, 13-17, 20-24 and 26-34 were submitted for examination.

All claims have been rejected.

No new matter has been added.

Reconsideration and reexamination of the above-referenced patent application, is respectfully requested.

35 U.S.C. § 103(a) Rejection – Kuga & Kushelvesky

Claims 1-6, 22-24, and 26-29 were rejected by the Examiner under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,686,940 to Kuga ("Kuga") in view of U.S. Patent No. 5,668,743 to Kushelvesky ("Kushelvesky").

Independent claim 1 recites in part:

"a storage device coupled to the processor and to store measurement code and configuration code to be executed by the processor, the measurement code to determine the distance measured by the sensor, and the configuration code to configure an image to be displayed on the display screen according to the distance, wherein when the distance increases, size of the image is increased to enhance visibility of the image at the distance, and wherein when the distance decreases the size of the image is decreased."

(Emphasis added.)

Kuga teaches a system when a distance between a user and a LCD is long, a reduced image is displayed, and when the distance between the user and the LCD is short, an enlarged image is displayed on the LCD. (Col. 3, lines 15-43; Figures 2 and 3). The Examiner admitted that "there is no disclosure in Kuga that the size increases with an increase in distance or that the size decreases with a decrease in distance."

Kushelvesky teaches a system including an application for "adjusting the size of the image on the computer display, e.g. font size, to an optimum size, depending on the distance of the observer from the monitor. This is particularly useful for an observer suffering from presbyopia or other severe visual difficulties." (Col. 2, lines 37-42). The Examiner admitted that Kushelvesky "not specifically disclosing that the display device is enhanced when the distance is increased..." The Examiner then concluded that because Kushelvesky taught the size of the images is adjusted, then it's obvious to one skilled in the art that the image is enhanced when the distance is increased.

Applicant disagrees. As the Examiner admitted, neither Kuga nor Kushelvesky specifically teaches the limitation "when the distance increases, size of the image is increased", as claimed in claim 1. Kuga only teaches when the distance is short, the image is enlarged. Kushelvesky only teaches adjusting the size of the image depending on the distance. Thus, if there is any motivation to combine Kuga and Kushelvesky, the motivation is they both teach when the distance is short the image is enlarged, and when the distance is long the image is reduced. This is contrary to the limitations claimed in claim 1.

Applicant submits that, at least for the above reasons, the 103(a) rejection has been overcome and that claim 1 is patentable over Kuga in view of Kushelvesky. Since claims 2-6 and 8 depend from and further limit claim 1, they are also patentable over Kuga in view of Kushelvesky.

Applicant submits that, at least for the above reason, claims 22-24 and 26-29 are also patentable over Kuga in view of Kushelvesky.

35 U.S.C. § 103(a) Rejection – Kuga & Kushelvesky & Fatch

Claims 8 and 25 were rejected by the Examiner under 35 U.S.C. 103(a) as being unpatentable over Kuga in view of Kushelvesky and in further view U.S. Patent No. 6,244,711 to Fatch et al. ("Fatch").

Claim 25 has been previously cancelled.

Claim 8 depends from and further limit claim 1. Since claim 1 is presented above as patentable, applicant submits that claim 8 is also patentable, and the 103(a) rejection has been overcome.

35 U.S.C. § 103(a) Rejection – Shim & Kushelvesky

Claims 9, 13-17, 20, 21 and 30-34 were rejected by the Examiner under 35 U.S.C. 103(a) as being unpatentable over Shim in further view of Kushelvesky.

Claim 9 recites in part:

“configuring an audio device and a display device based, at least in part, on the distance, wherein audibility of the audio device and visibility of information displayed on the display device is enhanced when the distance is increased.”

(Emphasis added).

Applicant submits that neither Shim nor Kushelvesky specifically teaches “audibility of the audio device and visibility of information displayed on the display device is enhanced when the distance is increased” as claimed in claim 9. Kushelvesky merely mentioned adjusting the size of an image depending on a distance and gave examples of users having visual difficulties. Thus, if there is any motivation to combine Shim and Kushelvesky, the combined references do not teach the limitations as claimed in claim 9.

Applicant submits that, at least for the above reasons, the 103(a) rejection has been overcome and that claim 9 is patentable over Shim in view of Kushelvesky. Since claims 13-14 depend from and further limit claim 9, they are also patentable over Shim in view of Kushelvesky.

Applicant submits that, at least for the above reason, claims 15 and 30 and their corresponding dependent claims are also patentable over Shim in view of Kushelvesky.

CONCLUSION

Applicant submits that the present application is in condition for allowance. If the Examiner believes a telephone conference would expedite or assist in the allowance of the present application, the Examiner is invited to call David Tran at (408) 765-4692.

Authorization is hereby given to charge our Deposit Account No. 50-0221 for any charges that may be due.

Respectfully submitted,



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